

fat, and not more than 11 per cent of crude fiber, and for the further reason that the article was labeled as aforesaid so as to deceive and mislead the purchaser into the belief that it contained not less than  $8\frac{1}{4}$  per cent of ammonia, not less than 43 per cent of protein, not less than 7 per cent of crude fat, and not more than 11 per cent of crude fiber, whereas, in truth and in fact, said article contained less than  $8\frac{1}{4}$  per cent of ammonia, less than 43 per cent of protein, less than 7 per cent of crude fat, and more than 11 per cent of crude fiber, to wit, approximately 8 per cent of ammonia, 41.28 per cent of protein, 6.21 per cent of crude fat, and 12.25 per cent of crude fiber.

On May 24, 1922, the defendant company entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10422. Adulteration of shell eggs. U. S. \* \* \* v. William O. Crow (Custer City Produce Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 16019. I. S. No. 18206-t.)**

On April 10, 1922, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William O. Crow, trading as the Custer City Produce Co., Custer City, Okla., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about August 23, 1921, from the State of Oklahoma into the State of Texas, of an article of food, to wit, shell eggs, which was adulterated.

Examination, by the Bureau of Chemistry of this department, of a sample of the article, consisting of 360 eggs from each of the 3 cases examined, showed the presence of 189, or 17.5 per cent, inedible eggs, consisting of 66 mixed or white rots, 92 blood rings, 29 blood rots, and 2 chick rots.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On April 13, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10423. Adulteration of shell eggs. U. S. \* \* \* v. Elmer L. Kenison (E. L. Kenison Produce Co.). Plea of guilty. Fine, \$50 and costs. (F. & D. No. 16008. I. S. No. 2008-t.)**

On April 7, 1922, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Elmer L. Kenison, trading as the E. L. Kenison Produce Co., Longdale, Okla., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 21, 1921, from the State of Oklahoma into the State of Kansas, of a quantity of an article of food, to wit, shell eggs, which was adulterated.

Examination of a sample of the article, consisting of all the eggs in 14 cases, or 5,040 eggs, by the Bureau of Chemistry of this department, showed the presence of 16 black rots, 240 mixed or white rots, 12 moldy eggs, 24 spot rots, and 132 blood rings, a total of 424 inedible eggs, or 8.4 per cent.

Adulteration of the article was alleged in the information for the reason that it consisted in part of a filthy, decomposed, and putrid animal substance.

On April 10, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$50 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10424. Misbranding of strawberries. U. S. \* \* \* v. Richard T. Lewis et al. (Humboldt Fruit Growers' Assoc.). Plea of guilty. Fine, \$15 and costs. (F. & D. No. 15435. I. S. Nos. 111-t, 6014-t.)**

On January 10, 1922, the United States attorney for the Western District of Tennessee, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Richard T. Lewis, Milton J. Hamilton, John E. Matthews, and Dee W. Senter, trading as the Humboldt Fruit Growers' Assoc., Humboldt, Tenn., alleging shipment by said defendants, on or about May 7 and 11, 1921, respectively, in violation of the Food and Drugs Act, as amended, from the State of Tennessee into the States of Illinois and New York, respectively, of quantities of strawberries in crates, which were misbranded. The crates bore no label or statement relative to contents, weight, or measure.

Misbranding of the article was alleged in the information for the reason that it was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On April 27, 1922, a plea of guilty to the information was entered on behalf of the defendants, and the court imposed a fine of \$15 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10425. Adulteration of shell eggs. U. S. \* \* \* v. Lee Dixon Rucker. Plea of guilty. Fine, \$1. (F. & D. No. 13896. I. S. No. 334-t.)**

On July 28, 1921, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Lee Dixon Rucker, Plainview, Tex., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 8, 1920, from the State of Texas into the State of Kansas, of a quantity of an article of food, to wit, shell eggs, which was adulterated.

Examination of a sample of the article, consisting of 3 cases or 1,080 eggs, by the Bureau of Chemistry of this department, showed the presence of 172, or 15.92 per cent, inedible eggs, consisting of 43 black rots, 73 mixed or white rots, 1 moldy egg, 44 spot rots, 2 blood rings, and 9 chick rots.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On October 21, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$1.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10426. Adulteration of shell eggs. U. S. \* \* \* v. Willard H. Black (Hico Creamery Co.). Plea of guilty. Fine, \$25. (F. & D. No. 13897. I. S. No. 351-t.)**

On July 9, 1921, the United States attorney for the Western District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against Willard H. Black, trading as the Hico Creamery Co., Hico, Tex., alleging shipment by said defendant, in violation of the Food and Drugs Act, on or about July 14, 1920, from the State of Texas into the State of Kansas, of a quantity of an article of food, to wit, shell eggs, which was adulterated.

Examination, by the Bureau of Chemistry of this department, of a sample of the article consisting of 360 eggs in 1 case and 180 in each of 2 other cases, showed the presence of 145, or 20 per cent, inedible eggs, consisting of 3 black rots, 105 mixed or white rots, 14 spot rots, 22 heavy blood rings, and 1 chick rot.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, putrid, and decomposed animal substance.

On February 27, 1922, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10427. Misbranding of Kalina. U. S. \* \* \* v. 20 Boxes \* \* \* of Kalina. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 14955. I. S. No. 1593-t. S. No. C-2906.)**

On May 25, 1921, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 20 boxes of Kalina, remaining in the original unbroken packages at Youngstown, Ohio, alleging that the article had been shipped on or about March 29, 1921, by J. M. Rutkowski, Buffalo, N. Y., and transported from the State of New York into the State of Ohio, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) " \* \* \* Health Restorer for \* \* \* Nervousness, Palpitation of the Heart, Female Troubles, Catarrh, Liver and Kidney Diseases, Headache \* \* \* A Great Blood Purifier \* \* \* For Tired Feeling, Dizziness, Poor Appetite, Piles, Pimples on Face, Skin Troubles and all Blood Disorders \* \* \*. All disease and impurities lurking in the stomach, blood and the whole system, will be eliminated from the body gradually,